

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, Applicants express their appreciation for the courtesy of a personal interview granted to their attorney by Examiner Umez-Eronini on September 3, 2003, the results of which are summarized in the Interview Summary form.

During the interview, Applicants' attorney suggested amending claim 1, subject to client approval, to indicate that the masking material is in contact with the etching gas, which would distinguish the claimed invention from Harkin et al., which uses a laser beam (energy beam) with the masking pattern, without suggesting Applicants' mixed gas. The Examiner indicated this amendment might distinguish the present invention from Harkin et al. (without offering any commitment in this regard), but that the amendment might not be entered since it is being submitted after a final rejection.

Claim 1 has now been amended as indicated above, to require that the masking material is in contact with the etching gas. The same amendment has been made in claim 4, which is the other independent claim under consideration.

As noted during the interview, the amendment to claims 1 and 4 is supported by Fig. 5 and the paragraph bridging pages 14 and 15 of the specification.

The patentability of the present invention as claimed above over the disclosure of the reference relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1-5 under 35 U.S.C. §102(b) as being anticipated by Harkin et al. is respectfully traversed.

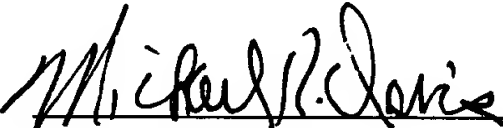
As noted above, Harkin et al. uses a laser beam (energy beam) with the masking pattern. There is no disclosure or suggestion in this reference of the mixed gas (etching gas) of carbon monoxide and a nitrogenous compound recited in claims 1 and 4. Therefore, the reference fails to suggest a combination of the masking material in contact with the etching gas as now claimed.

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over Harkin et al., and that the rejection based on this reference should therefore be withdrawn.

The application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

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